

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CRIMINAL DOCKET NO. 5:13cr22-RLV**

**UNITED STATES OF AMERICA**

**vs.**

**DENNIS WAYNE PARRIS**

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**ORDER**

**THIS MATTER** is before the Court upon Defendant's Joint Motion For Proposed Peremptory Setting, filed on December 10, 2013. (Doc.#50)

Represented in the Defendant's Joint Motion:

1. This matter involves three defendants;
2. The discovery is complex and voluminous; with documents currently exceeding 1.8 million;
3. A previous peremptory setting was scheduled for December 3, 2013;
4. The trial is said to last approximately 3 weeks;
5. This matter was again continued to the January 2014 term;
6. The current Motion before the Court ask for a peremptory trial date of January 27, 2014, with jury selection on January 7, 2014;
7. If a peremptory trial setting is denied, the Defendant requests this matter be continued until the March 2014 trial term, and a Status Conference be scheduled;
8. The Government objects to a continuance to March 2014;
9. Defendant McKeown's counsel does not oppose this motion;
10. Defendant Sparrow's counsel opposes any setting during the January 2014, term & requests the trial be set in March 2014.

Upon Reviewing the Defendant's Joint Motion, the Court feels that a continuance is warranted rather than a peremptory setting.

Therefore, the reasons stated in the Defendant's Joint Motion and upon a showing that defense counsel has not had sufficient time within which to adequately prepare in this case, taking into account the exercise of due diligence, the Court will allow the continuance. **18 U.S.C. § 3161(h)(8)(B)(iv)**. The Court further finds that the ends of justice served by taking such action as requested by the Defendant outweigh the best interest of the public and the Defendant to a speedy trial.

**IT IS, THEREFORE, ORDERED** that the Defendant's Joint Motion for a Peremptory Setting is **DENIED**. **IT IS, FURTHER ORDERED** that this matter is continued from the January 6, 2014, criminal trial term in the Statesville Division to the March 3, 2014, criminal term in the Statesville Division, and that the Clerk's Office schedule a Status Conference in this matter for February 3, 2014 at 10AM, at the Statesville Courthouse in Statesville, North Carolina.

Signed: December 11, 2013



Richard L. Voorhees  
United States District Judge

